

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

| | | |
|--------------------------------|---|----------------------|
| Damon John White Bird Solgado, |) | |
| |) | |
| Petitioner, |) | ORDER |
| |) | |
| vs. |) | |
| |) | |
| Colby Braun, Warden, NDSP, |) | Case No. 1:17-cv-056 |
| |) | |
| Respondent. |) | |

The Eighth Circuit remanded this case for consideration in light of Tiedeman v. Benson, 122 F.3d 518 (8th Cir. 1997).

This court shall not issue a certificate of appealability. It further certifies that an appeal from the denial of this action may not be taken in forma pauperis because such an appeal would not be in good faith absent a certificate of appealability for the reasons set forth its order at Docket No. 20.

IT IS SO ORDERED.

Dated this 6th day of December, 2017.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court